

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

## FOR PURPOSES OF CONSIDERATION OF

MISSION RIDGE ROAD TPM – TPM 20793, LOG NO. 03-02-068

March 12, 2007

The Project Analyst must ensure that all applicable environmental ordinances are complied with to the extent that these ordinances apply to the project.

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program and the project will impact habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance, the project was found to be exempt from the Ordinance. The U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) concurred with the exemption in a letter dated March 22, 2006. To support the exemption, the following required findings have been made:

- The loss of coastal sage scrub is less than one acre;
- The habitat is not occupied by the California gnatcatcher;
- The project occurs in low value habitat or medium value habitat outside of identified preserve planning areas;
- The habitat loss will not preclude the design or prevent the preparation of the subregional NCCP reserve system.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES

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NO

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NOT APPLICABLE/EXEMPT

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## Discussion:

The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?

YES

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NO

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NOT APPLICABLE/EXEMPT

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The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?

YES

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NO

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NOT APPLICABLE/EXEMPT

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The Steep Slope section (Article IV, Section 5)?

YES

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NO

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NOT APPLICABLE/EXEMPT

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The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?

YES

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NO

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NOT APPLICABLE/EXEMPT

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The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?

YES

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NO

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NOT APPLICABLE/EXEMPT

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## Discussion:

**Wetland and Wetland Buffers:** The site contains coast live oak riparian forest and disturbed southern willow scrub, which if disturbed would result in a significant impact. These habitats will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Parcel Map, whichever comes first. There will be no net loss of wetlands and therefore no significant impact will occur.

**Floodways and Floodplain Fringe:** The project is not located near any floodway/floodplain fringe area as defined in the resource protection ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map.

**Steep Slopes:** The average slope for the property is 34.2 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, the project is in conformance with the RPO.

**Sensitive Habitats:** No sensitive habitat lands were identified on the site as determined on a site visit conducted by Christine Stevenson on January 14, 2005. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

**Significant Prehistoric and Historic Sites:** The County of San Diego staff archaeologist/historian has inspected the property, analyzed records, and determined there are no archaeological/ historical sites.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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**Discussion:** The document is substantially complete and complies with the WPO requirements for a Stormwater Management Plan.

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

**OTHER POLICIES/ORDINANCES** – None

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